

FISCAL COMMITTEE OF THE GENERAL COURT  
MINUTES

November 19, 2002

The Fiscal Committee of the General Court met on Tuesday, November 19, 2002 at 1:00 p.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Neal Kurk, Chairman  
Representative Kenneth Weyler, Clerk  
Representative Keith Herman  
Representative Beverly Rodeschin  
Representative Marjorie Smith  
Senator Arthur Klemm, Vice Chairman  
Senator John Barnes  
Senator Gary Francoeur  
Senator Beverly Hollingworth  
Senator Caroline McCarley

Chairman Kurk opened the meeting at 1:30 p.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Hollingworth, seconded by Representative Weyler, that the minutes of the October 16, 2002 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

On a motion by Senator Hollingworth, seconded by Senator McCarley, that request FIS 02-161 from the Department of Health and Human Services be removed from the table. MOTION FAILED.

On a motion by Senator McCarley, seconded by Senator Hollingworth, that request FIS 02-194 from the Department of Health and Human Services be removed from the table. MOTION FAILED.

NEW BUSINESS:

RSA 9:16-a TRANSFER AUTHORIZED - CONSENT CALENDAR:

On a motion by Representative Herman, seconded by Senator Francoeur, that the Committee approve all the requests under this section as submitted. MOTION ADOPTED. (FIS 02-234 and FIS 02-241)

RSA 124:15 POSITIONS RESTRICTED - CONSENT CALENDAR:

Chairman Kurk requested that each request be considered individually since there were questions on all but one of the items listed under this section on the agenda.

FIS 02-223 Department of Environmental Services - Rene Pelletier presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Senator McCarley, that the Committee approve the request of the Department of Environmental Services to establish a System Development Specialist V position through June 30, 2003. MOTION ADOPTED.

FIS 02-235 Department of Environmental Services - David Wunsch, State Geologist presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Weyler, that the Committee approve the request of the Department of Environmental Services to establish a Hydrogeologist II position through June 30, 2003. MOTION ADOPTED.

FIS 02-224 Department of Safety - John Stephen, Assistant Commissioner and Tim Mason, Director of Administration, Department of Safety presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Klemm, that the Committee approve the request from the Department of Safety to continue a System Development Specialist V position through June 30, 2003. MOTION ADOPTED.

FIS 02-230 Department of Safety - John Stephen, Assistant Commissioner and Tim Mason, Director of Administration, Department of Safety presented the request and responded to questions of the Committee.

On a motion by Senator Klemm, seconded by Representative Weyler, that the Committee approve the request from the Department of Safety to establish a Prosecuting Attorney position through June 30, 2003. MOTION ADOPTED.

FIS 02-232 Department of Agriculture, Markets & Food - Stephen Taylor presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Hollingworth, that the Committee approve the request from the Department Agriculture, Markets & Food to establish one (1) Entomologist II position and one (1) Laboratory Assistant I position through June 30, 2003. MOTION ADOPTED.

FIS 02-233 Department of Agriculture, Markets & Food - Stephen Taylor presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Hollingworth, that the Committee approve the request from the Department Agriculture, Markets & Food to establish a Consultant position through June 30, 2003. MOTION ADOPTED.

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CHAPTER 130, LAWS OF 2001, PAU 04-01-04-02, FOOTNOTE C:

FIS 02-244 Department of Transportation - Matthew Moore, Administrator presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Weyler, that the Committee approve the request of the Department of Transportation for authorization to expend \$139,360 of excess public works revenue. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES:

FIS 02-222 Department of Health and Human Services, Division of Alcohol & Drug Abuse Prevention and Recovery - On a motion by Senator Hollingworth, seconded by Representative Herman, that the Committee approve the request of the Department of Health and Human Services, Division of Alcohol & Drug Abuse Prevention and Recovery to accept and expend \$32,986 in federal funds. MOTION ADOPTED.

FIS 02-229 Department of Health and Human Services, Office of Community & Public Health - James Fredyma presented the request and responded to questions of the Committee.

On a motion by Senator McCarley, seconded by Representative Smith, that the Committee approve the request of the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$52,087 in federal funds. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RSA 9:16-A TRANSFER AUTHORIZED:

FIS 02-243 Department of Health and Human Services, Division of Family Assistance - James Fredyma presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Representative Smith, that the Committee approve the request from the Department of Health and Human Services, Division of Family Assistance to accept and expend \$390,467 in federal funds and transfer \$430,178. MOTION ADOPTED.

CHAPTER 158:43, LAWS OF 2001 - ADDITIONAL REVENUES; DEPARTMENT OF HEALTH AND HUMAN SERVICES AND RSA 124:15 POSITIONS RESTRICTED:

FIS 02-228 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator McCarley, seconded by Senator Hollingworth, that the Committee approve the request from the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$311,964 in federal funds, and continue one (1) Microbiologist I position and establish one (1) Microbiologist I position through June 30, 2003. MOTION ADOPTED.

FIS 02-237 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator McCarley, seconded by Representative Smith, that the Committee approve the request from the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$35,499 in federal funds and establish a Program Specialist IV position through June 30, 2003. MOTION ADOPTED.

FIS 02-238 Department of Health and Human Services, Office of Community & Public Health - James Fredyma presented the request and responded to questions of Committee.

On a motion by Senator McCarley, seconded by Representative Smith, that the Committee approve the request from the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$68,864 in federal funds and continue a Word Processor Operator II position through June 30, 2003. MOTION ADOPTED.

FIS 02-242 Department of Health and Human Services, Office of Community & Public Health - On a motion by Senator Hollingworth, seconded by Senator McCarley, that the Committee approve the request from the Department of Health and Human Services, Office of Community & Public Health to accept and expend \$104,217 in federal funds and establish one (1) Health Promotion Advisor position and one (1) Secretary II position through June 30, 2003. MOTION ADOPTED.

CHAPTER 258:11, LAWS OF 1992 IMPLEMENTATION; FUNDING:

FIS 02-218 Department of Safety - Tim Mason presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Senator McCarley, that the Committee approve the request of the Department of Safety for authorization to expend \$70,000 from the Administrative License Revocation Fund. MOTION ADOPTED.

RSA 7:12 ASSISTANTS:

FIS 02-231 Department of Justice - Steven Judge, Deputy Attorney General presented the request and responded to questions of the Committee.

On a motion by Senator Hollingworth, seconded by Senator Klemm, that the Committee approve the request from the Department of Justice for authorization to expend \$400,000 in general funds for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law. MOTION ADOPTED.

RSA 188-F:32-b TRANSFER OF UNAPPROPRIATED FUNDS:

FIS 02-245 Police Standards & Training Council - On a motion by Senator Hollingworth, seconded by Senator Klemm, that the Committee approve the request from the Police Standards & Training Council for authorization to transfer \$21,400 from the Police Standards & Training Fiscal Committee Minutes  
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Council Training Fund. MOTION ADOPTED.

RSA 206:33-b TRANSFERS FROM FISH AND GAME FUND:

FIS 02-236 Fish and Game Department - On a motion by Senator Hollingworth, seconded by Representative Smith, that the Committee approve the request of the Fish and Game Department to transfer \$16,558 from the Fish and Game Operating Reserve. MOTION ADOPTED.

MISCELLANEOUS:

Michael Buckley, Legislative Budget Assistant requested authorization to fill two of three positions vacant in the Audit Division.

On a motion by Senator Klemm, seconded by Representative Smith, that the Committee authorize the Legislative Budget Assistant to fill two vacant positions as requested. MOTION ADOPTED.

Chairman Kurk distributed copies of a letter from the Acting Commissioner of the Department of Health and Human Services dated November 19<sup>th</sup> regarding the Division of Behavioral Health. Chairman Kurk thanked the Department for the letter and noted that the Committee will look forward to receiving their further reports.

INFORMATIONAL ITEMS:

The informational items were accepted and placed on file.

AUDIT:

State of New Hampshire, Banking Department (excluding the Public Deposit Investment Pool) Financial and Compliance Audit Report For the Nine Months Ended March 31, 2002 - Catherine Provencher, Director of Audits, Office of Legislative Budget Assistant presented the audit report and responded to questions of the Committee. Peter Hildreth, Commissioner was also present to respond to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Klemm, that this report be accepted, placed on file and released in the usual manner. MOTION ADOPTED.

National State Auditors Association State of New Hampshire Office of Legislative Budget Assistant Report on the System of Audit Quality Control for the Period July 1, 2001 through June 30, 2002 and National State Auditors Association State of New Hampshire Office of Legislative Budget Assistant System of Audit Quality Control Letter of Comment for the Period July 1, 2001 through June 30, 2002 - Catherine Provencher explained that the first report is an unqualified report, which means it's a clean opinion of our system of quality control and that the Audit Division is in compliance with standards promulgated by the AICPA, as well as by the General Accounting Office of the U.S. Government. The second report is Letter of Comments on the system of quality control. There was one observation which stated that the  
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independent auditors' report omitted a sentence that the standards

required be in the report.

These reports were informational and no action was required.

DATE OF NEXT MEETING AND ADJOURNMENT:

Chairman Kurk thanked Mr. Buckley and his staff for the service they have provided, especially Ms. Provencher, who always does a rather impressive job with her audit presentations. Chairman Kurk also thanked those members of the Committee who will not be returning for a variety of reasons, for their service and noted their insights have been very, very helpful and appreciated.

Representative Weyler thanked Paula O'Regan for the great job she does, and wished that his comments be put in the record.

The next meeting of the Fiscal Committee was tentatively set for Wednesday, December 18, 2002 at 9:30 a.m. in the Legislative Office Building, Room 210-211.

(Whereupon the Committee adjourned.)

Representative Kenneth Weyler, Clerk